

COPYRIGHT AND YOUR THESIS

WHAT IS COPYRIGHT?

Copyright protects *works*:

- literary works (e.g. books, poems, articles, blogs, song lyrics)
- dramatic works (e.g. plays, films)
- musical works (i.e. compositions)
- artworks (e.g. paintings, photographs, maps, sculptures)

Copyright also protects *other subject matter*:

- sound recordings (e.g. music, speeches, performances)
- performances (e.g. of music, theatre, presentations)
- communication signals (e.g. radio programs)

Copyright includes the right to copy, perform, publish, translate, adapt, record, broadcast or exhibit a work or other subject matter, and the right to authorize others to do these things.

General rule for the length of copyright term: **life plus 70 years***

*The term of copyright changed in 2022, creating two rules: If the creator died in 1971 or earlier, copyright in their works has expired. If they died in 1972 or later, their works are protected for their life plus 70 years.

CONTACT THE COPYRIGHT OFFICE for assistance with your thesis

The SFU Copyright Office can

- provide general copyright information
- answer specific questions
- review your thesis for any copyright concerns
- perform a fair dealing analysis
- assist you with requesting permission to use material

We are available by email, phone and in-person consultation.

You are required to submit all copyright-related documentation when you upload your thesis.

COPYRIGHT AND YOUR THESIS

USING OTHERS' WORKS IN YOUR THESIS – Fair dealing in the *Copyright Act*

Fair dealing for the following purposes does not infringe copyright (*Copyright Act* ss 29-29.2):

research	satire
private study	criticism
education	review
parody	news reporting

Each instance must be analyzed using the Supreme Court of Canada's **six criteria** (*CCH Canadian Ltd. v. Law Society of Upper Canada*, 2004 SCC 13 at paras 53-60.) to ensure that it qualifies for fair dealing:

- purpose of the dealing
- character of the dealing
- amount of the dealing
- alternatives to the dealing
- nature of the work
- effect on the work

You are not required to perform this analysis; the Copyright Office will do it for you.

Fair dealing may not apply if the resulting work is published (including posting online, e.g. in Summit). Fair dealing will likely not apply if the use of the work is decorative rather than integral to your text.

USING OTHERS' WORKS IN YOUR THESIS – With fewer restrictions

User-friendly licenses:

- Creative Commons (creativecommons.org)
- Open Access
- Website terms of use

Copyright-free sources:

- Facts and data
- Works in the public domain (copyright has expired)
- An “insubstantial” amount
- Links / URLs